

To: Meer, Daniel[Meer.Daniel@epa.gov]
From: Huetteman, Tom
Sent: Thur 2/11/2016 12:19:12 AM
Subject: RE: (Exide) RE: Rep. Becerra call with Administrator McCarthy

Sounds good.

Tom Huetteman, Assistant Director

Land Division, USEPA Region 9

415-972-3751

From: Meer, Daniel
Sent: Wednesday, February 10, 2016 4:18 PM
To: Huetteman, Tom <Huetteman.Tom@epa.gov>; Maier, Brent <Maier.Brent@epa.gov>
Cc: Reyes, Deldi <Reyes.Deldi@epa.gov>; Serda, Sophia <Serda.Sophia@epa.gov>
Subject: RE: (Exide) RE: Rep. Becerra call with Administrator McCarthy

Sophia will join us for the call and can answer the toxicology questions. I think I can handle most of the policy questions.

Daniel A. Meer, Assistant Director

Superfund Division

Emergency Response, Preparedness and Prevention Branch

415.972.3132 (O)

415.971.6792 (C)

From: Huetteman, Tom
Sent: Wednesday, February 10, 2016 4:04 PM
To: Meer, Daniel; Maier, Brent
Cc: Reyes, Deldi; Serda, Sophia

Subject: RE: (Exide) RE: Rep. Becerra call with Administrator McCarthy

There is also a separate email with these questions related to comparing Exide and Flint:

I have a few questions regarding lead contamination and hoping the EPA can help me answer them. I want to make an assessment to the different types of lead contamination found in water and soil. I understand Flint's situation is due to the water being contaminated by lead, so I want to see how that compares to the soil contamination in Exide's case. Which one is more health hazardous and why? Do the screening levels vary because one is water and the other is soil? If so, what are those screening levels for each one? Do you have any official lead levels for Flint? Please let me know if this is something the EPA can help me answer or guide me towards the appropriate source that can best help in answering this.

Tom Huettelman, Assistant Director

Land Division, USEPA Region 9

415-972-3751

From: Meer, Daniel

Sent: Wednesday, February 10, 2016 3:59 PM

To: Maier, Brent <Maier.Brent@epa.gov>

Cc: Huettelman, Tom <Huettelman.Tom@epa.gov>; Reyes, Deldi <Reyes.Deldi@epa.gov>; Serda, Sophia <Serda.Sophia@epa.gov>

Subject: RE: (Exide) RE: Rep. Becerra call with Administrator McCarthy

I think I can answer most of the questions being posed, but there is some misinformation built into the text. Sophia are you available tomorrow to sit in on this call?

Dan

Daniel A. Meer, Assistant Director

Superfund Division

Emergency Response, Preparedness and Prevention Branch

415.972.3132 (O)

415.971.6792 (C)

From: Maier, Brent

Sent: Wednesday, February 10, 2016 3:31 PM

To: Distefano, Nichole

Cc: Huetteman, Tom; Meer, Daniel; Reyes, Deldi; Serda, Sophia; Janifer, Pamela; Keener, Bill; Zito, Kelly

Subject: (Exide) RE: Rep. Becerra call with Administrator McCarthy

Nichole –

I reached out yesterday to Johanna and Irvin De La O in their District Office and we have a call set up for tomorrow, Thursday at 2:00pm PT with some of our management team in our Land and Superfund Divisions and our Environmental Justice Coordinator who are very familiar with the Exide issue. Pamela Janifer from OCIR will be joining us for this call. We have had two previous calls with the Congressman's staff and I know that Jared has talked with the Congressman previously. I am copying my colleagues who will be participating in the call so that they can see the questions directed to you on Exide that we can try to address them when we speak to the staff tomorrow. I have also offered in my contact with the staff I spoke with yesterday to have the Congressman's scheduler reach out to Jared's Executive Assistant whose contact information I provided them to set up a call with Jared, but do not think they have done that yet. I will inquire again on our call tomorrow.

Let me know if you still have any questions, but I am happy to respond to Johanna and let her know you reached out to me following receipt of the message she sent you and let her know that we can do our best to address these questions in our call with them tomorrow. Let me know if you would like for me to follow up with Johanna.

Brent Maier

Congressional Liaison

U.S. Environmental Protection Agency, Region IX

75 Hawthorne St. (OPA-3)

San Francisco, CA 94105

Ph: 415.947.4256

From: Distefano, Nichole

Sent: Wednesday, February 10, 2016 3:21 PM

To: Maier, Brent <Maier.Brent@epa.gov>

Subject: Fwd: Rep. Becerra call with Administrator McCarthy

Hi Brent

Have you been able to connect with her? I believe these questions are probably best answered by you all but I fear I am missing something here.

If easier just give me a call on my cell 202-570-8609.

Sent from my iPhone

Begin forwarded message:

From: "Montiel, Johanna" <Johanna.Montiel@mail.house.gov>

Date: February 10, 2016 at 6:14:00 PM EST

To: "'distefano.nichole@epa.gov'" <distefano.nichole@epa.gov>

Subject: RE: Rep. Becerra call with Administrator McCarthy

Hi Nichole,

Please let me know if you are not the person I should be reaching out to in Administrator Gina McCarthy's office regarding the issue of the Exide plant in Vernon, CA and the pollution that is being reported in Boyle Heights, which is part of Congressman Becerra's district.

Like I have mentioned below, I know there is a Non-prosecution agreement, but I am trying to figure out if this Non-Prosecution Agreement limits the EPA's role? If so, what role does EPA have? Why?

In addition, is there any concern within EPA about the levels of pollution that have been reported? I have previously posted this question to the regional office and I was told "EPA recognizes that there are lead levels of concern at the residential properties near Exide that need to be addressed. As a result of the different cleanup level used by the state, their cleanup will be more extensive than if EPA were in charge of the cleanup." But, can EPA expand on the different levels of lead pollution in soil that are concerning, when do they trigger an immediate clean-up? When do they become unsafe that it would require for a person to relocate?

My understanding is that 400 ppm would trigger a cleanup response from EPA. But, a 80 ppm reading of lead in the soil would trigger a cleanup from the state of California. A few questions based on that:

--Currently 400 ppm is considered by EPA as a level that needs clean-up, is that standard up to date with the most current science?

--What about when it is 5,000 ppm? What type of response should that trigger? Should a person not be living in their home if that is the case?

--In addition, it is my understanding, and I may be wrong so I am trying to clarify, isn't there a section within both CRCLA and RCRA that would allow EPA to use the state standard?

There are also concerning reports from DTSC that they have identified 10,000 potential homes as being contaminated by lead in their yards. And I believe Congressman Becerra posed this question to the Administrator in a previous conversation, but is there a way for

EPA to do an initial assessment report to test the levels of lead pollution to see what type of response is required? Has EPA done a risk assessment report on the levels of pollution and the health risks they pose for the people in these homes?

Thank you for reading, and again please let me know if I should be reaching out to someone else in Administrator McCarthy's office. I hope to hear from you soon.

Best,

Johanna

From: Montiel, Johanna
Sent: Tuesday, February 09, 2016 4:55 PM
To: 'distefano.nichole@epa.gov'
Subject: RE: Rep. Becerra call with Administrator McCarthy

Hi Nichole,

I heard back from Brent with the regional office. But, I'm trying to figure out what the Non-Prosecution agreement between DTSC, DOJ, and EPA has regarding Exide and if that closes any role EPA may play in helping clean up the contaminated homes. If it does, can you explain why?

Thanks,

Johanna

From: Montiel, Johanna
Sent: Monday, February 08, 2016 10:13 AM

To: distefano.nichole@epa.gov

Subject: RE: Rep. Becerra call with Administrator McCarthy

Importance: High

Hi Nichole,

I hope you enjoyed your weekend. As you are aware my boss has previously talked to Administrator McCarthy on two separate occasions regarding the Exide plant in Vernon, CA. We have spoken to the Regional Office on various occasions (re: closing the plant, and then the clean-up).

However, my boss has asked me to follow up with the headquarter office regarding this important issue for him. Would it be possible to speak today?

Best,

Johanna

Johanna Montiel | Legislative Correspondent

Rep. Xavier Becerra (CA-34), Chairman of the House Democratic Caucus

202-225-6235 | 202-225-2202 (F) | Johanna.Montiel@mail.house.gov

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From: Montiel, Johanna
Sent: Tuesday, October 27, 2015 10:24 AM
To: distefano.nichole@epa.gov
Subject: Rep. Becerra call with Administrator McCarthy

Hi Nichole,

I hope everything is well with you. I was told you might be my point of contact regarding a call Administrator Gina McCarthy will be having with my boss tomorrow. I was wondering if you had some time today to chat over any details.

Thanks,

Johanna

Johanna Montiel | Staff Assistant

Rep. Xavier Becerra (CA-34), Chairman of the House Democratic Caucus

202-225-6235 | 202-225-2202 (F) | Johanna.Montiel@mail.house.gov

Sign up for email updates from Congressman Becerra.

